

Read 8
March 1756

ACT for Enlarging the Terms and Powers granted by Two several Acts, passed in the Fourteenth Year of his present Majesty, the one for repairing the Roads from a Place called The Red House, near Doncaster, to Wakefield, and through the said Town of Wakefield, by Dewsbury Hightown and Lightcliff, to the Town of Halifax, in the West Riding of the County of York; and the other for repairing the Road from Wakefield to Pontefract, and from thence to a Place called Weeland, in the Township of Hensall, and from Pontefract to Wentbridge, in the Township of Darrington, in the West Riding of the County of York.

Whereas by an Act of Parliament, passed in the Fourteenth Year of the Preamble
Reign of his present Majesty, intituled, *An Act for Repairing the Roads from a Place called Red House, near Doncaster, to Wakefield, and through the said Town of Wakefield, by Dewsbury Hightown and Lightcliff, to the Town of Halifax, in the West Riding of the County of York*, several Persons therein named were appointed Trustees for putting the said Act in Execution; and divers Tolls and Duties were granted and made payable, and were thereby directed and appointed to take place, from and after the Twentieth Day of May One thousand Seven hundred and Forty-one; and to continue and be paid, from thence, for and during the Term of Twenty-one Years; and divers Powers, Authorities, Rules, Orders, and Provisions, were thereby granted, prescribed, and established, for repairing the said Roads, and putting the said Act in Execution; and by another Act of Parliament, made in the said Fourteenth Year of the Reign of his present Majesty, intituled, *An Act for Repairing the Roads from Wakefield to Pontefract, and from thence to a Place called Weeland, in the Township of Hensall, and from Pontefract to Wentbridge, in the Township of Darrington, in the West Riding of the County of York*, several Persons therein named were appointed Trustees to put the said Act in Execution; and divers Tolls and Duties were thereby granted and made payable, and directed and appointed to take place, from the Tenth Day of May One thousand Seven hundred and Forty-one, and to continue in Force, and be paid, from thence, for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament; and divers Powers, Authorities, Rules, Orders, and Provisions, were thereby given, established, and prescribed, for repairing the last-mentioned Roads, and putting and effecting the Purposes of the said Act:

A

And

And whereas the several Trustees, nominated and appointed by the said Acts have, in pursuance of the Powers and Authorities thereby vested in them, respectively borrowed considerable Sums of Money upon the Credit of the Tolls arising within their several Districts, which still remain due and unsatisfied:

And although the Money so borrowed, together with the Money arising by the Tolls and Duties afore-mentioned, have been applied pursuant to the Directions, and for the Purposes, of the said Acts; Yet, by reason of the great Number of Waggon, and other Carriages, passing through the said Roads laden with, and carrying, excessive and exorbitant Weights and Burdens, and which either do not contribute at all to the Repair of the said Roads, or in a great Disproportion to the Damage and Spoil they do to the same, several Parts of the said Roads remain unrepaired; and, unless some Remedy and Provision be speedily had and made, the same will soon become impassable; and as the said Roads cannot be effectually repaired and completed, and the Monies borrowed on the Credit of the said former Acts be repaid unless the Tolls and Duties thereby granted be augmented, and the Powers thereby given, and the Terms thereby granted, be extended, enlarged, and rendered more effectual, by Authority of Parliament:

To the end therefore that the said several Roads, directed and appointed to be repaired by the said Two former Acts, may be more speedily and effectually repaired,

May it therefore please your MAJESTY,

That it may be Enacted; And be it Enacted, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Roads herein before-mentioned shall be divided into, and be deemed to consist of, Three several Districts; or Divisions, for the several Purposes, and within the several Limits, herein after-mentioned; that is to say, Such Part of the said Roads, as lies between the *Red House* afore-mentioned and the South End of *Wakefield Bridge*, shall be deemed to be comprised in, and to constitute, One District or Division; and that the several Persons in and by the first-mentioned Act nominated and appointed Trustees for repairing that Part of the said Roads which lies between the *Red House* and the Town of *Wakefield* afore-mentioned, or so many of them as shall be living at the time of passing this present Act, together with Sir *John Armitage*, *Baronet*, *Samuel Armitage*, *Charles Allenson*, *Thomas Arthington*, Esquires, *William Alexander*, Gentleman, *Sir Walter Blacket*, *Baronet*, *Richard Beamont*, *Timothy Battie*, *Thomas Beamont*, *Richard Burton*, *Musgrave Briscoe*, Esquires, *Thomas Brshaw*, *John Bolders*, *William Briges*, *Gabriel Brooke*, *John Baldwin*, *John Bentley*, *Jeremy Batley*, *John Batley*, junior, *John Bramley*, *Robert Butterfield*, *Daniel Bates*, *Arthur Burton*, *Richard Buxton*, *Richard Brooke*, *John Barker*, *Joseph Beamont*, *Thomas Beatson*, *Oultram Beatson*, *James Banks*, *Abraham Balme*, *Benjamin Bartlett* junior, Gentleman, *Nathaniel Cholmley*, *Anthony Cooke*, *Thomas Cotton*, *Crowle*, Esquires, *John Cookson*, M. D. the Reverend *John Clark*, *William Charnock*, *George Charnock*, *Robert Clarkson*, *John Caygill* junior, *James Cooke*, Gentlemen, the Right Honourable Lord Viscount *Down* in the Kingdom of Ireland, *Gervas Disney*, M. D. the Reverend *Christopher Duffield*, the Reverend *John Drake*, Clerks, *Denham*, *William Downs*, *John Dyson* of *Claydon*, *John Dearden*, Gentlemen, *Anthony Eyre*, Esquire, *Edward Elmsall*, *John Edwards*, Gentlemen, *Benjamin Ferrand*, *Thomas Foljambe*, Esquires, *Robert Fretwell*, *Abraham Firth*, *Abraham Firth* junior, Gentlemen, the Right Honourable *William L. Viscount Galway* in the Kingdom of Ireland, *William Greame*, Esquire, *James Greame*, *Richard Green*, *Richard Grice*, *Thomas Grosvenor*, Gentlemen, *William Hawksworth*, *Henry Hitch*, *William Horton*, *Joshua Horton*, *John Horsfall*, Esquires, *William Haywood*, D. D. Doctor *Hulme*, *Richard Hill*, *Samuel Hill* junior, *Thomas Hirst*, *Elkanah Hoyle*, *Horsfall*, *John Hall*, *Nathaniel Holden*, *John Holden*, *Richard Holden*, *Alexander Hatfield*, *John Haigh*, *Luke Hoyle*, *William Haigh*, *Thomas*

First District.

New Trustees for
First District.



Thomas Hoyle, William Haigh, James Haigh, Gentlemen, Sir Henry Ibbetson, Baronet, Charles Ingram, Esquire, the Reverend William Johnson, Clerk, Cyrel Johnson, M. D. Allen Johnson, Gentleman, Sir John Lister Kaye, Baronet, Richard Kaye, Esquire, John Kitchingman, Joseph Kitchingman, John Kirshaw, Gentlemen, Edward Leeds, John Lister, Samuel Lister, Esquires, the Reverend Timothy Lee, D. D. the Reverend William Lowther, Clerk, Jonathan Laycock, Joshua Laycock, John Lamb junior, John Lister, Samuel Lister, James Lister, Samuel Lister, Japhet Lister, Gentlemen, Robert Milnes, Bacon Morret, James Maude, Esquires, William Marsden, William Maude, Francis Maude, Pemberton Milnes, James Maude, Daniel Maude junior, Gentlemen, James Nelthorpe, Esquire, William Nayler, Jeremy Nayler, William Nevison, Jonathan Nichol, Gentlemen, John Pilkington, Harrison Pilkington, Esquires, the Mayor, Recorder, and senior Aldermen, of the Borough of Pontefract, John Priestly, Preston, William Prescott, John Prescott, Gentlemen, the Reverend Henry Richardson, Clerk, William Rawstone, Clerk, John Ramsden, Jeremy Rawson, Robert Ramsden, Giles Rickaby, Raynor, Christopher Rawson, Jeremia Royds, John Royds, Robert Royds, Abraham Radcliffe, Gentlemen, Sir George Savile, Sir Bryan Stapylton, Baronets, John Stanhope, John Silvester Smith, William Sotherton, Matthew Swiny, Esquires, the Reverend Thomas Smith, Clerk, the Reverend Samuel Sandford, Clerk, Robert Steer, Michael Scrimshire, Charles Steer, Valentine Stead junior, George Shillito, John Stead, Thomas Smith, William Shawe, John Stancliffe, John Simpson, John Simpson junior, Joseph Stocks, George Stansfield, David Stansfield, Samuel Stead, Richard Shepley, Gentlemen, John Twizleton, Esquire, the Reverend James Torre, Clerk, William Thornton, William Turner, William Thompson, Richard Tennant, Thomas Wentworth, Godfrey Wentworth, Peregrine Wentworth, Thomas Winn, Walter Wade, Richard Wainman, Esquires, the Reverend John Wiggan, Clerk, the Reverend John Watson, Clerk, Thomas Willsford, M. D. John Waterhouse, Rowland Winn, John Woodlmer, Daniel Whitaker, Christopher Wetherberd, Michael Wainhouse, William Wood, Haigh Walker, Gentlemen, John Yorke, Esquire, the Reverend Henry Zouch, Clerk, Samuel Zouch, Gentleman, Adams, Gabriel Brookes, Robinson Morley, Robert Mitford, Robert Harper, Esquires, Samuel Harper, Thomas York, John York junior, Gentlemen, John Thornbill, George Thornbill, Esquires, Thomas Thompson, John Taylor junior, Gentlemen, Charles Booth, Clerk, Henry Hemingway, Gentleman, Robert Stansfield, Esquire, Thomas Stansfield, William Stansfield, Gentlemen, shall be, and they are hereby appointed and declared, Trustees for putting this present Act and the former Act in Execution, within the said District or Division; and that such Part of the said Roads, hereby directed to be repaired, as lies between the North End of Wakefield Bridge and the Town of Halifax, shall be deemed to be comprised in, and to constitute, another District or Division of the said Roads; and that the several Persons in and by the first-mentioned Act named and appointed Trustees for repairing that Part of the said Roads which leads through the Towns of Wakefield, Hightown, and Light-cliff, to the Town of Halifax, or so many of them as shall be living at the time of passing this Act, together with Sir John Armitage, Baronet, Samuel Armitage, Charles Allen, Thomas Arthington, Esquires, William Alexander, Gentleman, Sir Walter Blacket, Baronet, Richard Beamont, Timothy Battie, Thomas Beamont, Richard Burton, Musgrave Briscoe, Esquires, Thomas Bradshaw, John Bolders, William Briges, Gabriel Brooke, John Baldwin, John Bentley, Jeremy Batley, John Batley junior, John Bramley, Robert Butterfield, Daniel Battye, Arthur Burton, Richard Buxton, Richard Brooke, John Barker, Joseph Beamont, Thomas Beatson, Oultram Beatson, James Banks, Abraham Balme, Beaver, Benjamin Bartlett junior, Gentleman, Nathaniel Cholmley, Anthony Cooke, Thomas Cotton, Crowle, Esquires, John Cookson, M. D. the Reverend John Clarke, William Charnock, George Charnock, Robert Clarkson, John Caygill junior, James Cooke, Gentleman, the Right Honourable Lord Viscount Down in the Kingdom of Ireland, Gervas Disney, M. D. the Reverend Christopher Duffield, the Reverend John Drake, Clerks, Denham, William

Second District.

New Trustees for
Second District.

William Downs, John Dyson of Clayhouse, John Dearden, Gentlemen, Anthony Eyre, Esquire, Edward Elmsall, John Edwards, Gentlemen, Benjamin Ferrand, Thomas Foljambe, Esquires, Robert Fretwell, Abraham Firth, Abraham Firth junior, Gentlemen, the Right Honourable William Lord Viscount Gallway in the Kingdom of Ireland, William Greame, Esquire, James Greame, Richard Green, Richard Grice, Thomas Grosvenor, Gentlemen, Walter Hawksworth, Henry Hitch, William Horton, Joshua Horton, John Horsfall, Esquires, William Haywood, D. D. Doctor Hulme, Richard Hill, Samuel Hill junior, Thomas Hirst, Elkanab Hoyle, Horsfall, John Hall, Nathaniel Holden, John Holden, Richard Holden, Alexander Hatfield, John Haigh, Luke Hoyle, William Haigh, Thomas Hoyle, William Haigh, James Haigh, Gentlemen, Sir Henry Ibbetson, Baronet, Charles Ingram, Esquire, the Reverend William Johnson, Clerk, Cyrel Johnson, M. D. Allen Johnson, Gentleman, Sir John Lister Kaye, Baronet, Richard Kaye, Esquire, John Kitchingman, Joseph Kitchingman, John Kirshaw, Gentlemen, Edward Leeds, John Lister, Samuel Lister, Esquires, the Reverend Timothy Lee, D. D. the Reverend William Lowther, Clerk, Jonathan Laycock, Joshua Laycock, John Lamb junior, John Lister, Samuel Lister, James Lister, Samuel Lister, Japhet Lister, Gentlemen, Robert Milnes, Bacon Morrell, James Maude, Esquires, William Marsden, William Maude, Francis Maude, Pemberton Milnes, James Maude, Daniel Maude junior, Gentlemen, James Nelborpe, Esquire, William Nayler, Jeremy Nayler, William Nevison, Jonathan Nichol, Gentlemen, John Pilkington, Harrison Pilkington, Esquires, the Mayor, Recorder, and senior Aldermen, of the Borough of Pontefract, John Priestly, Preston, William Prescott, John Prescott, Gentlemen, the Reverend Henry Richardson, Clerk, William Rawstone, Clerk, John Ramsden, Jeremy Rawson, Robert Ramsden, Gil Rickaby, Raynor, Christopher Rawson, Jeremiab Royds, John Royds, Robert Royds, Abraham Radcliffe, Gentlemen, Sir George Savile, Sir Bryan Stapylton, Baronets, John Stanhope, John Silvester Smith, William Sotherton, Matthew Swin, Esquires, the Reverend Thomas Smith, Clerk, the Reverend Samuel Sandford, Clerk, Robert Steer, Michael Scrimshire, Charles Steer, Valentine Stead junior, George Shillito, John Stead, Thomas Smith, William Shawe, John Stancliffe, John Simpson, John Simpson junior, Joseph Stocks, George Stansfield, David Stansfield, Samuel Stead, Richard Shepley, Gentlemen, John Twizleton, Esquire, the Reverend James Torre, Clerk, William Thornton, William Turner, William Thompson, Richard Tennant, Thomas Wentworth, Godfrey Wentworth, Peregrine Wentworth, Thomas Winn, Walter Wade, Richard Wainman, Esquires, the Reverend John Wiggan, Clerk, the Reverend John Watson, Clerk, Thomas Willsford, M. D. John Waterhouse, Rowland Winn, John Woolmer, Daniel Whitaker, Christopher Wetherberd, Michael Wainbous, William Wood, Haigh Walker, Gentlemen, John Yorke, Esquire, the Reverend Henry Zouch, Clerk, Samuel Zouch, Gentleman, Adams, Gabriel Brookes, Robinson Morley, Robert Mitford, Robert Harper, Esquires, Samuel Harper, Thomas York, John York junior, Gentleman, John Thornhill, George Thornhill, Esquires, Thomas Thompson, John Taylor junior, Gentlemen, Charles Booth, Clerk, Henry Hemingway, Gentleman, Robert Stansfield, Esquire, Thomas Stansfield, William Stansfield, Gentlemen shall be, and they are hereby appointed and declared, Trustees for putting the former Act and this Act in Execution, within the District or Division last-mentioned; and that the Road from Wakefield to Pontefract, and from thence to Weeland, and also the Road from Pontefract to Wentbridge, shall be deemed to be comprised in, and to constitute, another District or Division of the Roads hereby directed and appointed to be repaired; and that the several Persons in and by the said former Act appointed for repairing the last-mentioned Roads, or so many of them as shall be living at the time of passing this Act, together with Sir John Armitage, Baronet, Samuel Armitage, Charles Allenson, Thomas Arthington, Esquires, William Alexander, Gentleman, Sir Walter Blacket, Baronet, Richard Beamont, Timothy Battie, Thomas Beamont, Richard Burton, Musgrave Briscoe, Esquires, Thomas Bradshaw, John Bolders, William Briges, Gabriel Brooke, John Baldwin, John Bentley, Jeremy Batley, John B.

Third District.

Trustees of District.

by junior, John Bramley, Robert Butterfield, Daniel Battye, Arthur Burton, Richard
 Buxton, Richard Brooke, John Barker, Joseph Beamont, Thomas Beatson, Oultram
 Beatson, James Banks, Abraham Balme, Beever, Benjamin Bartlett junior,
 Gentlemen, Nathaniel Cholmley, Anthony Cooke, Thomas Cotton, Crowle,
 Esquire, John Cookson, M. D. the Reverend John Clarke, William Charnock, George
 Charnock, Robert Clarkson, John Caygill junior, James Cooke, Gentleman, the Right
 Honourable Lord Viscount Down in the Kingdom of Ireland, Gervas Disney, M. D.
 the Reverend Christopher Duffield, the Reverend John Drake, Clerks, Den-
 ham, William Downs, John Dyson of Clayhouse, John Dearden, Gentlemen, Anthony
 Eyre, Esquire, Edward Elmsall, John Edwards, Gentleman, Benjamin Ferrand, Tho-
 mas Foljambe, Esquires, Robert Fretwell, Abraham Firth, Abraham Firth junior,
 Gentlemen, the Right Honourable William Lord Viscount Gallway in the Kingdom
 of Ireland, William Greame, Esquire, James Greame, Richard Green, Richard Grice,
 Thomas Grosvenor, Gentlemen, Walter Hawksworth, Henry Hitch, William Horton,
 Joshua Horton, John Horsfall, Esquires, William Haywood, D. D. Doctor Hulme,
 Richard Hill, Samuel Hill junior, Thomas Hirst, Elkanah Hoyle, Horsfall,
 John Hall, Nathaniel Holden, John Holden, Richard Holden, Alexander Hatfield,
 John Haigh, Luke Hoyle, William Haigh, Thomas Hoyle, William Haigh, James
 Haigh, Gentlemen, Sir Henry Ibbetson, Baronet, Charles Ingram, Esquire, the Reve-
 rend William Johnson, Clerk, Cyrel Johnson, M. D. Allen Johnson, Gentleman, Sir
 John Lister Kaye, Baronet, Richard Kaye, Esquire, John Kitchingman, Joseph Kitching-
 man, John Kirshaw, Gentlemen, Edward Leeds, John Lister, Samuel Lister, Esquires,
 the Reverend Timothy Lee, D. D. the Reverend William Lowther, Clerk, Jonathan
 Laycock, Joshua Laycock, John Lamb junior, John Lister, Samuel Lister, James
 Lister, Samuel Lister, Japhet Lister, Gentlemen, Robert Milnes, Bacon Morret,
 James Maude, Esquires, William Marsden, William Maude, Francis Maude, Pem-
 erton Milnes, James Maude, Daniel Maude junior, Gentlemen, James Nelthorpe,
 Esquire, William Nayler, Jeremy Nayler, William Nevison, Jonathan Nichol, Gen-
 tlemen, John Pilkington, Harrison Pilkington, Esquires, the Mayor, Recorder, and
 Senior Aldermen, of the Borough of Pontefract, John Priestly, Preston,
 William Prescott, John Prescott, Gentlemen, the Reverend Henry Richardson, Clerk,
 William Rawstone, Clerk, John Ramsden, Jeremy Rawson, Robert Ramsden, Giles
 Rickaby, Raynor, Christopher Rawson, Jeremiah Royds, John Royds, Robert
 Royds, Abraham Radcliffe, Gentlemen, Sir George Savile, Sir Bryan Stapylton, Ba-
 ronets, John Stanhope, John Silvester Smith, William Sotherton, Matthew Swiny,
 Esquires, the Reverend Thomas Smith, Clerk, the Reverend Samuel Sandford, Clerk,
 Robert Steer, Michael Scrimshire, Charles Steer, Valentine Stead junior, George Shil-
 lito, John Stead, Thomas Smith, William Shawe, John Stancliffe, John Simpson,
 John Simpson junior, Joseph Stocks, George Stansfield, David Stansfield, Samuel
 Stead, Richard Shepley, Gentlemen, John Twizleton, Esquire, the Reverend James
 Torre, Clerk, William Thornton, William Turner, William Thompson, Richard Ten-
 nant, Thomas Wentworth, Godfrey Wentworth, Peregrine Wentworth, Thomas Winn,
 Walter Wade, Richard Wainman, Esquires, the Reverend John Wiggan, Clerk, the
 Reverend John Watson, Clerk, Thomas Willsford, M. D. John Waterhouse, Rowland
 Winn, John Woolmer, Daniel Whitaker, Christopher Wetherherd, Michael Wainhouse,
 William Wood, Haigh Walker, Gentlemen, John Yorke, Esquire, the Reverend Henry
 Zouch, Clerk, Samuel Zouch, Gentlemen, Adams, Gabriel Brookes, Robin-
 son Morley, Robert Mitford, Robert Harper, Esquires, Samuel Harper, Thomas
 York, John York junior, Gentlemen, John Thornbill, George Thornbill, Esquires, Thomas
 Thompson, John Taylor junior, Gentlemen, Charles Booth, Clerk, Henry Hemingway,
 Gentleman, Robert Stansfield, Esquire, Thomas Stansfield, William Stansfield, Gentlemen,
 shall be, and they are hereby appointed and declared, Trustees for putting the former
 Act and this present Act in Execution, within the last-mentioned District or Divi-
 sion.

And it is hereby further Enacted, That the said Trustees, within their several Trustes may
 and respective Districts, or any Nine or more of them, shall and may, and they are erect Turnpikes,
 hereby and Toll-houses.

hereby authorized and impowered to continue, remove, take down, erect, and set up, or order and cause to be continued, removed, taken down, erected, and set up such Gates, Turnpikes, and Toll-houses, respectively, in, across, or on the Side or Sides of, any Part of the said Roads respectively, as to them shall seem requisite and expedient for the Purposes of this present Act.

Restraint on setting up Gates.

Provided always, That no Turnpike or Toll-gate shall be erected or set up, in the First District or Division of the said Roads, nearer the Town of *Wakefield* than the South End of *Agbrig*; nor shall any Turnpike or Toll-gate be set up, in any Part of the said Roads lying Westward of the Town of *Wakefield*, nearer the said Town than the West End of *Westgate* Moor aforesaid (except it shall be found expedient to set up a Side-gate at or near the End of *Alverthorpe* Lane, entering on *Westgate* Moor), or within One Mile of the Town of *Halifax*; nor shall any Turnpike or Toll-gate be taken down and removed, or any Turnpike or Toll-gate be erected or set up, within any of the Districts or Divisions of the Roads hereby directed and appointed to be repaired, without the Order or Direction of Nine of the respective Trustees acting for that District or Division wherein the same shall happen at some publick Meeting; nor unless Notice, in Writing, signed by the said respective Trustees, or any Five or more of them, be affixed on all the Turnpikes and Toll-gates then standing and being within such District, at least Twenty Days before the same shall be done respectively.

Tolls.

And it is hereby further Enacted, That the said Trustees, within their several Districts or Divisions respectively, shall and may demand, receive, and take, the several Tolls and Duties following, before any Horse, Mare, Gelding, Mule, Ass, Cattle, Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, Hearse, Litter, Waggon, Wain, Cart, or any other Carriage whatsoever, shall be permitted to pass through any of the Gates or Bars in such Districts or Divisions respectively; that is to say, For every Coach, Chariot, Landau, Berlin, Hearse, Chaise, or Calash, drawn by Six or more Horses, Mares, Geldings, or Mules, the Sum of Two Shillings and Six Pence; and drawn by Four Horses, Mares, Geldings, or Mules, the Sum of Two Shillings; and drawn by Two Horses, Mares, Geldings, or Mules, the Sum of One Shilling and Six Pence; and for every Chaise or Chair drawn by One Horse, Mare, Gelding, or Mule, the Sum of Nine Pence; and for every Waggon or Wain, or other Four-wheeled Carriage, not loaded with Lime, Coals, or Cinders, drawn by Five Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Three Shillings; and drawn by Four Horses, Mares, Geldings, or other Beasts of Draught, the Sum of One Shilling and Six Pence; and drawn by Three Horses, Mares, Geldings, or other Beasts of Draught, the Sum of One Shilling; and for every Cart, or other Two-wheeled Carriage, not loaded with Lime, Coals, or Cinders, drawn by Three Horses, Mares, Geldings, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Six Pence; and drawn by One Horse, Mare, Gelding, or other Beast of Draught, the Sum of Three Pence; and for every Horse, Mare, Gelding, Mule, or Ass, not drawing, nor loaded with Lime, Coals, or Cinders, the Sum of One Pence Halfpenny; and for every Drove of Oxen, or other Neat Cattle, the Sum of Ten Pence *per* Score, and so in proportion for any greater or less Number; and for every Drove of Calves, Sheep, Lambs, or Swine, the Sum of Five Pence *per* Score, and so in proportion for any greater or less Number; and for every Waggon, Wain, or other Four-wheel Carriage, loaden with Coals or Cinders, drawn by Five Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Four Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Nine Pence; and drawn by Three Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Six Pence; and for every Wain, Cart, or other Carriage, with Two Wheels, only drawn by Three Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Six Pence; and drawn by Two Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Four Pence Halfpenny; and drawn by One Horse, Mare, Gelding, or other Beast of Draught, the Sum of Three Pence; and for

for every Horse, Mare, Gelding, or other Beast of Burden, loaden with, or carrying Coals or Cinders, the Sum of One Penny Halfpenny; and for every Waggon, Wain, or other Four-wheel Carriage, empty, or loaden with Lime, drawn by Five Horses, Mares, Geldings, or other Beasts of Draught, the Sum of One Shilling and Six Pence; and drawn by Four Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Six Pence; and drawn by Three Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Four Pence Halfpenny; and for every Wain, Cart, or other Carriage, with Two Wheels only, drawn by Three Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Four Pence Halfpenny; and drawn by Two Horses, Mares, Geldings, or other Beasts of Draught, the Sum of Three Pence; and drawn by One Horse, Mare, Gelding, or other Beast of Draught, the Sum of One Penny Halfpenny; and for every Horse, Mare, Gelding, or other Beast of Burden, not loaded, or loaded with, or carrying Lime, the Sum of Three Farthings: Which said several Sum and Sums of Money, hereby granted and made payable, shall and may be demanded and taken in the Name of, and as, a Toll or Duty, in lieu and stead of the Tolls and Duties granted and made payable by the said former Acts; and shall be, and the same are hereby, vested in the said Trustees, and their Successors; and the same, and every Part thereof, shall be paid, applied, laid out, employed, and disposed of, to and for the several Uses, Intents, and Purposes, herein after-mentioned, ordered, provided, and directed: And that the said Trustees, respectively, and the several Persons, to be by them respectively authorized and appointed in that behalf, shall have such and the same Remedies and Powers for levying, receiving, and recovering, the said Tolls and Duties, as were given, granted, and provided, in the like Case, in and by the said former Acts, respectively, or either of them.

Provided always, and it is hereby Enacted and Declared, by the Authority aforesaid, That the said Trustees, or any Five or more of them, within their several Districts, respectively, shall and may demand, receive, and take, from the Thirty-first Day of *October* to the First Day of *April*, yearly, for all Wheel-carriages, One-third Part of the respective Tolls and Duties, over and above the Tolls that they are in and by this Act before directed to take and receive, before any such Wheel-carriage shall be permitted to pass through any of the Toll-bars or Turnpikes erected, or to be erected, by virtue of this present or the said former Acts; any thing herein before contained to the contrary notwithstanding.

And it is hereby further Enacted and Declared, That the several Tolls and Duties arising, and to be received and taken, within the several Districts and Divisions, respectively, by virtue of this present Act, and the Rents and Sums of Money arising and produced by leasing or letting out the same Tolls and Duties, respectively, and the Money to be raised, borrowed, and taken up, in pursuance of this Act, by any Mortgage of such Tolls and Duties, or upon such Notes as are herein after mentioned, respectively, shall be paid, applied, and disposed of, in the First place, for the Payment and Discharge of all the Expences and Charges incident to, and attending the obtaining, this present Act, and afterwards in and for amending, repairing, and keeping in Repair, such Parts of the said Roads as lie within the said Districts and Divisions, respectively; and in keeping down, paying off, and discharging, the Principal and Interest Money now due and owing, and hereafter to be borrowed, or to become due and owing, upon Mortgage, Assignment, or Credit, of the Tolls arising in such Districts or Divisions, respectively: And that the Money arising within any one of the said Districts, by the Ways and Means herein before-mentioned, shall be applied, or applicable, to or for repairing the Roads lying within any other of the said Districts, or otherwise, for the Benefit thereof; except in such Cases herein, or for which, it is hereby otherwise provided.

Provided always, That nothing in this Act contained shall authorize and empower the Commissioners and Trustees, herein before named and appointed, and their Successors, or any of them, to repair and amend any of the Town-streets of
Wake-

Application of
Tolls.

But not to repair
Town-Streets.

Wakefield, Halifax, Pontefract, or Knottingley, or any of them, other than and except as is herein after-mentioned.

Recites the First Act.

Exemption for Coals, and Payment to Wakefield to cease.

A yearly Sum to be paid out of the Halifax Branch.

And whereas the Inhabitants of the said Town of *Wakefield* were, by the Act first above-mentioned, exempted from paying Toll for Coals, for their own Consumption, between the First Day of *April* and the Thirtieth Day of *October*, in every Year; and a Provision was made by the same Act for the Payment, out of the Money arising by Part of the Tolls and Duties thereby granted, of the yearly Sum of Twenty-five Pounds to the Surveyors of the Highways of the said Town, towards repairing the Pavement of the Streets of the said Town; Now it is hereby further Enacted, by the Authority aforesaid, That the said Exemption, and yearly Payment, herein last above-mentioned, shall, from and after the Twentieth Day of *May* One thousand Seven hundred and Fifty-six, cease and determine; and the same are hereby Enacted and Declared to be from thenceforth repealed and made void.

And it is hereby further Enacted, That, from and after the said Twentieth Day of *May* One thousand Seven hundred and Fifty-six, the Trustees for that District or Division of the said Road, which lies between the South End of *Wakefield* Bridge and the Town of *Halifax* aforesaid, do and shall, and they are hereby authorized and required, out of the Tolls and Duties arising within that District, to pay, apply, and dispose of, the yearly Sum of Fifty Pounds, for and towards the repairing, and keeping in Repair, the Pavement of the Streets of *Wakefield* aforesaid, in such manner as is herein after-mentioned; the said yearly Sum of Fifty Pounds to be paid half yearly, for the Purposes aforesaid, at or on the Twentieth Day of *November*, and Twentieth Day of *May*, in every Year, during the said several Terms, in and by the said several former Acts, and this present Act, granted and continued; the First Payment thereof to begin and be made at or on the Twentieth Day of *November* which shall be in the Year of our Lord One thousand Seven hundred and Fifty-six. And which said yearly Sum of Fifty Pounds shall, from time to time, be paid by such of the said Trustees as shall reside and inhabit in the Town of *Wakefield*, or any Five or more of them, or to such Person or Persons as they shall, by Writing under their Hands, order, direct, or appoint; and shall be applied and disposed of, for, and towards, the making, laying out, maintaining, supporting, and keeping in Repair, a proper and convenient Pavement, not exceeding the Breadth of Six Yards in any Part thereof, in the Middle of the Streets called *Kirkgate* and *Westgate*, in the Town of *Wakefield* aforesaid, for the Passage of all Sorts of Wheel-carriages, over, and upon, the same: And the Person or Persons to whom, or by whose Order the said yearly Sum shall be paid as aforesaid, shall, at the First Meeting of the said Trustees, or any Five of them, which shall be held after *Michaelmas-day* yearly, do account for the said yearly Sum, and the Application and Disposition of the same. And in case the same shall not be duly accounted for as aforesaid, then, and in such case, it shall and may be lawful to and for the said Trustees, or any Five or more of them, to stop or postpone all Payments of the said Annuity, until such Account shall be made and given, as aforesaid:

Arrear of 25 l. a Year to be paid,

and laid out in repairing Wakefield Streets.

Be it therefore farther Enacted, That the Treasurer acting within that District of the Roads hereby directed to be repaired, which lie between *Wakefield* and *Halifax*, shall, on or before the Twenty-fifth Day of *December* One thousand Seven hundred and Fifty-six, pay, or cause to be paid, unto the Trustees appointed for that District, who reside and inhabit in the Town of *Wakefield* aforesaid, or to any Three of them, or to such Person or Persons as they, or any Five of them, shall by Writing under their Hands, appoint to receive the same, the Sum of One hundred and Twenty-seven Pounds out of the Tolls and Profits arising in the said District, or the Money to be borrowed on the Credit thereof, for the Arrears of the said Annuity of Twenty-five Pounds *per Annum*, granted for and towards the Repairing of the said Streets of *Wakefield* in and by the said Act herein first above-mentioned: And which said Sum, so to be paid, shall, with all speed, be laid out and applied in Manner and for the Purposes herein last before directed and appointed.

Provided always, That if, by the Authority of any future Act of Parliament, a Turnpike shall be erected between the Towns of *Wakefield* and *Leeds*, and the annual Sum of Twenty Pounds shall be charged by such Act on the Tolls to be collected at the Bar or Bars of such Turnpike, for and towards the repairing, and keeping in Repair, the Streets of *Wakefield* aforesaid; then, and in such Case, the Payment of Twenty Pounds of the aforesaid Fifty Pounds shall, upon the Day of the Commencement of such Act, cease and determine, and the annual Sum of Thirty Pounds only be paid for and towards such Repairs.

And whereas a great Number of Carts and Carriages, with narrow Wheels, are constantly, or chiefly, employed in carrying heavy Loads of Corn, Grain, Oil, Wine, Groceries, Wool, Cloth, Bale Goods, Lime, Raff, Timber, Materials for Building, and dyeing Goods, and other Goods, Wares, and Merchandize, to and from divers Parts of the said Town of *Wakefield* and the River *Calder*, and which have greatly contributed to the Spoil and Destruction of the Pavement of the Streets of the said Town; Now, for remedying and preventing the same for the future, It is hereby further Enacted, by the Authority aforesaid, That, from and after the Twenty-ninth Day of *September* One thousand Seven hundred and Fifty-six, it shall not be lawful for any Cart or Carriage so used and employed, as aforesaid, to pass or be drawn in, over, or upon, any of the Streets of the said Town, unless the Sole or Bottom of the Fellies of the Wheels of every such Cart or Carriage be of the Breadth or Gauge of Nine Inches at the least; and every Owner of any such Cart or Carriage, which shall pass or be drawn contrary to the Directions, Tenor, and true Meaning, of this Act, shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, to be levied, recovered, and applied, in manner herein after-mentioned.

Provided also, and it is hereby further Enacted and Declared, That ^{Persons and Things exempted from Tolls.} no Toll shall be collected or taken for any Waggon or other Carriages, Horses or other Cattle, laden with, or carrying, Gravel, Stone, or other Materials, for paving any of the said Streets of *Wakefield*, *Halifax*, *Pontefract*, or *Knottingley*, or for making, repairing, or widening, any of the said Roads hereby intended to be repaired, or any other Road within any of the Parishes, Townships, or Places, wherein the said Turnpike Roads do lie; or for any Waggon, or other Carriage, laden with Stone, Brick, Timber, or other Materials, except Lime, for building or repairing Houses or Buildings, which are, or shall be, erected, in any Township or Hamlet within which any Turnpike-bar is, or shall be, erected, and through which such Materials shall be carried, which shall not pass above the Space of One Mile upon such Turnpike Road; or for any Carriage laden with Hay, or Corn in the Straw, or Manure, except Lime, being the Produce of the Lands of any of the Inhabitants of the several Townships, Hamlets, or Places, in which the said Turnpike Roads lie, in order to be laid or stacked in the Houses, Outhouses, Barns, Yards, or Grounds, or to be spread or laid upon the Lands of any of the said Inhabitants; or for any Carriages, Horses, or Cattle, drawing Ploughs, Harrows, or other Implements of Husbandry, for the Tilling, Working, Improving, or Managing, of Lands; or for any Carriages, Horses, or Cattle, going to, or returning from, Plough, Pasture, or Watering-places; or ^{Exemptions of Carts and Horses carrying Corn or Grain.} to or from the Cloth-mills, Oil-mills, Dye-houses, or Corn-mills, at *Wakefield* or *Billy Bridge*, with Cloth, Corn, Meal, Flower, or Oil; or for any Horse, Mare, Gelding, or Mule, of or belonging to any Person residing in the Parishes or Places in which any of the said Turnpike Roads lie, who shall pass through any Turnpike or Gate, to or from Church, or other usual Place of Worship, on Sundays; or who shall attend the Funeral, and accompany the Corpse, of any Person who shall die and be buried in any of the said Parishes or Places; or for the Horses of Soldiers upon their March, or for Carriages attending them, or carrying their Baggage; or for any Horses or Carriages having the publick Mail or Packet; or for Horses or Carriages travelling with Vagrants sent by Passes; or on the Day or Days wherein there shall be an Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *York*, or on the Day before, or

Day after, such Elections, of any Person or Persons travelling on Horseback, or in Coaches or other Carriages: And if any Person shall claim, and take the Benefit of any of the Exemptions aforesaid, not being intitled thereto, such Person shall forfeit and pay the Sum of Ten Shillings.

Power to lett the Tolls.

And be it Enacted, by the Authority aforesaid, That the said Trustees, or any Nine or more of them, within their respective Districts or Divisions, shall and may, and they are hereby impowered, by Writing under their Hands and Seals, at any time during the Continuance of this Act, to set, demise, and to farm-lett the Tolls to be collected and recovered by virtue of this Act, within the said respective Districts, or any Part of such Tolls, to any Person or Persons who shall be willing to take or farm the same, for any Time not exceeding Three Years, upon Twenty Days Notice in Writing to be fixed on all the Turnpike Gates or Bars erected, or continued by virtue of this Act (within such respective Districts) for the best Rent they can get for such Tolls, to be payable to the said Trustees, or to such Person or Persons as any Nine or more of them, shall, under their Hands, appoint to receive the same; with such Covenants therein to be contained, as the said Trustees, or any Nine or more of them, shall think proper and requisite; and which said Rent, so to be paid by virtue of such Lease as aforesaid, shall be applied and disposed of in such manner as the Tolls granted and made payable by this present Act, are directed to be applied and disposed of; and no other Use or Purpose whatsoever.

Trustees impowered to borrow Money on the Tolls,

and give Securities.

And be it Enacted, by the Authority aforesaid, That the said Trustees, or any Nine or more of them, within their respective Districts or Divisions, may and they are hereby impowered, from time to time, to borrow such Sum or Sums of Money as they or any Nine or more of them, shall think fit; and, by Writing under their Hands and Seals, to grant or assign over, by way of Mortgage, the Tolls and Duties arising within such respective Districts, or any Part or Parts thereof, and the yearly or other Income of such respective Tolls, or any Part thereof, for any time or times during the Continuance of this Act, as a Security for the Repayment of such Sum or Sums of Money as shall be so borrowed, to the Person or Persons, and his, her, and the Trustees, who shall advance and lend the same, with Interest for the same, after the Rate of Five Pounds *per Centum per Annum*, or less; so as Notice in Writing be given to that Purpose affixed upon all the Turnpikes or Toll-gates within such Districts, respectively, at least Twenty Days before the Borrowing: And which said Mortgages or Securities shall and may, from time to time, be assigned, transferred, and set over, by the Person or Persons possessed of, and intitled to, the same for the Time being, by any Writing or Writings under his, her, or their Hand and Hand indorsed on such respective Mortgage or Mortgages, or Securities, respectively attested by Two or more credible Witnesses, or by any other Instrument or Writings signed and attested, as aforesaid; and such Mortgages, Securities, Assignments, Instruments, and Indorsements, respectively, shall not, nor shall any of them, be liable to, or charged or chargeable with, any of the Stamp-duties; but shall be produced and notified to the Clerk or Clerks, Treasurer or Treasurers, to the Trustees acting within the District or Division wherein the Tolls comprised in, or affected by, such Mortgages or Securities, do respectively arise, within Three Months next after the Date of every such Mortgage, Security, or Assignment, respectively: And such Clerk or Clerks, Treasurer, or Treasurers, shall cause an Entry, or Memorial, to be made of such Assignment, containing the Date and Parties Names, and Sum of Money therein mentioned, and thereby intended to be secured, in a Book to be kept for that Purpose; for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid such Sum or Sums of Money, not exceeding One Shilling, as the said Trustees or any Five or more of them, shall order and direct; and, after such Entry made, every such Assignment shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment of the Principal Money and Interest therein mentioned, and thereby intended to be secured.

Without Stamps.

Entry of Securities to be made in a Book.

Power to take up Money on Notes.

And, for raising Money upon the Credit of the said Tolls with more Ease and Expedition, Be it further Enacted, by the Authority aforesaid, That it shall be

may be lawful to and for the said Trustees, or any Nine or more of them, within their several Districts, from time to time (if they shall think fit), to borrow, and take up at Interest, any Sum or Sums of Money, upon the Credit of the said Tolls, for the Purposes in this Act mentioned; and that Notes or Acknowledgments, signed by the Trustees acting for that District, for the Use of which such Money shall be so borrowed, or any Nine or more of them, in Writing under their Hands, shall be given for the Money which shall be so borrowed from time to time; which Notes shall or may be after this or the like Form and Tenor; viz. " N^o 120. A. B. is hereby intitled to the Sum of

with Interest, after the Rate of *per Centum per Annum*, out of the Money collected, and to be collected, at the several Toll-bars erected, or to be erected, on the Road from Wakefield to Halifax, by virtue of an Act of Parliament, passed in the Twenty-ninth Year of the Reign of King George the Second, intituled, *An Act for Enlarging the Terms and Powers granted by Two several Acts, passed in the Fourteenth Year of his present Majesty, the one for repairing the Roads from a Place called The Red House, near Doncaster, to Wakefield, and through the said Town of Wakefield, by Dewsbury High-town and Lightcliff, to the Town of Halifax, in the West Riding of the County of York; and the other for repairing the Road from Wakefield to Pontefract, and from thence to a Place called Weeland, in the Township of Hensall, and from Pontefract to Wentbridge, in the Township of Darrington, in the West Riding of the County of York.*"

And it is hereby further Enacted, That every of the said Notes, so to be issued, shall be a sufficient Charge and Security, both in Law and Equity, upon the said Tolls, so as to intitle the Lender to the Sum so advanced, with such Interest for the same, to be paid half-yearly, or otherwise, as in such Note or Acknowledgment shall be expressed, not exceeding Five Pounds *per Centum per Annum*: All which Notes or Acknowledgments, or some Minute or Memorial thereof, shall be entered and registred in a Book to be kept for that Purpse by the Clerk to the said Commissioners in the said Districts, respectively; and the said Notes shall and may, from time to time, be assigned and transferred by the Person or Persons possessed of, and intitled to, the same, for the Time being, by Subscription or Indorsement thereon, under his, her, or their Hand or Hands, attested by Two or more credible Witnesses: And such Transfers shall, from time to time, be entered and registred in a Book to be kept for that Purpose by the Clerk to the said Commissioners in such Districts, respectively, without any Preference to be had amongst any of the said Creditors.

Which Notes are to be a Charge on the Tolls.

Notes to be registred;

as also Transfers thereof.

Provided always, That no such Note or Acknowledgment shall be made out for more than the Sum of One hundred Pounds, or less than the Sum of Fifty Pounds: And every such Note shall bear Date upon, and carry Interest from, the Day upon which the Money, therein mentioned, shall be paid to the said Treasurer, and not otherwise.

Sum to be borrowed on One Note.

And it is hereby further Enacted and Declared, That it shall and may be lawful to and for the said Trustees, and their Successors, or any Nine or more of them, within their respective Districts or Divisions, by Order in Writing under their Hands, from time to time, to direct any Number of the said Notes to be issued and made out before their next Meeting, in case there shall be an Opportunity of circulating or receiving Money for the same, and that such Notes may be circulated and transferred; and that Money may be borrowed and taken up upon the same, from time to time, without giving such Notice as is herein before directed to be given, in case of borrowing Money upon a Mortgage of the Tolls, or any other Notice whatsoever.

The Trustees to direct making out Notes.

Provided also, That in case the Proprietor of any such Note or Notes shall give to the Treasurer, for the Time being, of the Money to be raised by virtue of this Act within the District for which such Note or Notes shall have been issued, Three Months Notice, in Writing, to pay unto such Proprietor the Principal, and Interest due, or to become due, to him or her upon any such Note or Notes, any Part thereof, and shall leave such Notice at the Dwelling-house, or Place of Abode, of such Treasurer, then, in case the same shall not be paid accordingly, and

Notice to be given of paying the Money back.

and after Demand made upon the said Treasurer for that Purpose, it shall and may be lawful to and for the Owner and Proprietor of such Note or Notes, by virtue of a Warrant under the Hands and Seals of Two of his Majesty's Justices of the Peace for the said West Riding, which they are hereby authorized and required to grant, upon Oath being made by the Proprietor of the said Note or Notes, or of One credible Witness, of the said Debt, and that such Notice, Demand, and Refusal, hath been given and made, as aforesaid, to seize upon, enter into, and take Possession of, all or any of the Toll-bars, Turnpike-gates, and Toll-houses in such District or Division, and to collect and receive the Tolls arising at the same to and for his own Use, until he or she shall be fully paid and satisfied of the Principal and Interest due upon such Note or Notes so required to be paid together with the Costs and Charges of taking Possession of such Turnpikes and Toll-houses, and of collecting and receiving the said Tolls; and the Person or Estate of any Commissioner or Commissioners signing such Note or Notes, shall not be liable to answer or pay the Money due, or to become due, or to be sued in respect thereof.

On Loss of Notes, **Provided also,** That in case any such Notes or Acknowledgements shall be filled by Indorsements made thereon, or shall, by any Accident, be defaced, it shall and may be lawful to and for the said Trustees, and their Successors, or any Nine or more of them, acting for that District of the Roads, on account of which such Notes were issued, and they are hereby authorized and required, from time to time, at the Request of the Proprietor or Proprietors thereof, to cause new Notes to be made out, and signed by any Nine of the Trustees for such District in lieu of such Notes which shall be so filled up or defaced; which Notes last mentioned shall be delivered to, and cancelled and kept by, the said Treasurer, and the said Notes, so renewed, shall be as good, binding, and effectual, to all Intents, and Purposes, for the principal Sum contained in such old Notes, with Interest after the Rate therein expressed, as such old Notes would have been, in case the same had not been filled up or defaced, as aforesaid.

Money borrowed on the former Acts to remain a Charge. **Provided also,** That all the Money borrowed on the Credit of the Tolls granted by the said former Acts, or either of them, by Mortgage or Sale thereof or otherwise howsoever, and the Security and Securities given for the same, shall be a Charge upon the Tolls and Duties granted by this Act, and arising within the several Districts or Divisions of the said Roads, which stood mortgage charged, or otherwise engaged, for the Payment of any Sum or Sums of Money and Interest, by virtue of either of the said former Acts; and that all the Powers and Provisions hereby made and granted for borrowing, taking up, securing, and repaying, any Sum or Sums of Money for the Purpose in this Act mentioned, shall extend to the Securities made by virtue of the said former Acts, or either of them, and to all such Sums of Money as were borrowed and advanced upon the Credit thereof, or either of them.

No Securities to prejudice the Creditors on the former Acts. **Provided also,** That no Securities to be made, or Money borrowed, by virtue of this Act, shall take place of, or interfere with, or in any manner prejudice or affect, the Payment of any Sum or Sums of Money borrowed, or taken up with Interest, and owing, upon the Credit of the said former Acts, or either of them.

Trustees may contract for the Purchase of Lands to widen the narrow Parts of the Roads. **And be it further Enacted,** by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall and may, and they are hereby authorized and empowered to contract for, and purchase, any Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, situate in, upon, or near the said Roads, being the private Property of any Person or Persons, which the said Trustees, or any Nine or more of them, shall think necessary to be purchased, in order to the amending, repairing, and widening, the said respective Roads, or to the diverting or turning the same, or any Part thereof, if the said Trustees, or any Nine or more of them, shall judge it more safe and commodious; and to take a Conveyance of the said Lands, Grounds, Houses, Buildings, Tenements, and Hereditaments, in Fee, to such Person or Persons as the said Trustees, or any Nine or more of them, shall think fit.

more of them, shall appoint, in Trust for such Trustees, and their Successors, and to the Intent the said Houses and Buildings shall and may be pulled down, and the Ground whereon the same stand, together with the other Lands and Grounds so to be purchased, shall and may be made use of, and shall be converted into, and made Part of, the said Roads, in such manner as the said Trustees, or any Nine or more of them, shall think convenient and proper: And the said Lands, so to be converted into, and made Part of, the said Roads, shall be sufficiently ditched and fenced out for that Purpose, and, from time to time, repaired, out of the Money arising by virtue of this Act, by such Person or Persons as such Trustees, or any Five or more of them, shall order, direct, or appoint.

And whereas it may happen that some Persons, or Bodies Politick, Corporate, or Collegiate, Infants, Femes Covert, Feoffees or Lessees in Trust, are or may be seised or possessed of Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, which by the said Trustees shall be thought necessary and proper to be purchased for the making, widening, diverting, or repairing, the said Roads; and such Persons, Bodies Politick, Corporate, or Collegiate, Infants, Femes Covert, Feoffees or Lessees, may be willing to treat and agree for the Sale of such Lands, Grounds, Houses, Buildings, Tenements, and Hereditaments, but are or may be incapable of selling, granting, or conveying, the same, by reason of Infancy, or other Disabilities; **Be it therefore Enacted**, by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees or Lessees in Trust, Executors, Administrators, Guardians, or other Trustees whatsoever, for or on the behalf of any Infants, Femes Covert, or others, and for all and every other Person or Persons whatsoever who are or shall be seised, possessed of, or interested in, any such Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, to treat, contract, and agree, with the said Trustees, or any Nine or more of them, for the Sale or Alienation of the same, or their Interest therein, for the Purposes aforesaid; and to sell and convey the same, as Occasion shall be and require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be good, valid, and effectual, to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof, in anywise notwithstanding: And all Feoffees or Lessees in Trust, Executors, Administrators, Guardians, and Trustees, Corporations Aggregate or Sole, and other Persons, are and shall be hereby indemnified for what they shall do by virtue, or in pursuance, of this Act.

Bodies Politick, &c. empowered to contract with the Trustees for the Purchase of Lands to be taken into the Roads.

And it is hereby Enacted, That if it shall happen, that any of the Owners or Occupiers, Bodies Politick, Corporate, or Collegiate, or any other Person or Persons interested in the said Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, directed or intended to be purchased by Virtue of, or under the Authority of, this Act, upon Notice to them given, or left, in Writing, at the Dwelling-house or Dwelling-houses, or Place or Places of Abode, of such Person or Persons, or of the chief Officer or Officers of such Bodies Politick, Corporate, or Collegiate, or at the House of the Tenant in Possession of the Lands, Grounds, Houses, Buildings, Tenements, and Hereditaments, so to be taken in, and made Part of, the said respective Roads, as aforesaid, shall, by the Space of Three Months next after such Notice given, or left, as aforesaid, neglect or refuse to treat, or shall not agree for the Sale of the same, or any of them, respectively, as aforesaid, or, by reason of Absence, shall be prevented from treating, then in every or any such Case, the said Trustees, or any Five or more of them, are hereby empowered to issue their Warrant or Warrants, Precept or Precepts, to the Sheriff of the County of York; thereby commanding and requiring him to impanel and return a Jury of Twenty-four substantial disinterested Persons to appear before the said Trustees, or any Seven or more of them, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be appointed: And the said Sheriff, or his Under-Sheriff or Deputy,

Persons neglecting to treat for the Sale of such Lands,

on Notice given,

Trustees to issue their Warrant to the Sheriff to impanel a Jury,

puty, is and are hereby required to impanel, summon, and return, Twenty-four substantial and disinterested Men of the said County, to appear before the said Trustees, or any Seven or more of them, at such Time and Place as in such Warrant shall be appointed: And all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, when they come to be sworn: And out of the Persons so impanelled and returned, or out of so many of them as shall appear according to, or upon, the said Summons, the said Trustees, or any Five or more of them, or Two or more Justices of the Peace for the West Riding of the said County, shall swear, or cause to be sworn, Twelve; and, for Default of a sufficient Number of Jurymen, the said Sheriff, his Under-Sheriff or Deputy, shall return other honest and disinterested Men of the Standers-by, or that can speedily be procured to attend that Service, so as to make up the Number Twelve: And the said Trustees, or any Seven or more of them, are hereby impowered and required, from time to time, as often as Occasion shall be, to summon and call before the said Jury, and examine, upon Oath, all and every Person and Persons whom it shall be thought proper and necessary to be examined as a Witness or Witnesses touching or concerning the Premises; which Oath any Five or more of such Trustees, or Two or more Justices of the Peace for the said West Riding, are hereby directed and impowered to administer: And they shall also order and call the said Jury to view the said Places in question (if there shall be Occasion) and use all such other lawful Ways and Means, as well for their own as the said Jury better Information of the Premises, as they the said Trustees, or any Seven or more of them, shall think fit: And the said Jury shall thereupon inquire what Damages will be sustained by, and what Recompence and Satisfaction ought to be made to such Owners, Occupiers, or Proprietors, or other Person or Persons interested, for or on account of, the taking or converting the same Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, into the said Roads, or to any other Person or Persons who may be injured thereby; and shall assess and award the Sum or Sums to be paid to every such Person or Persons accordingly: And such Trustees, or any Seven or more of them, shall and may give Judgment for such Sum or Sums of Money so to be assessed by such Jury or Juries respectively, and shall thereupon order the same to be paid to the Owners or Proprietors of, or other Persons interested in, the said Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, according to such Verdict or Inquisition, and the said Judgment and Determination; which said Verdict or Inquisition, and the said Judgment or Determination, so had and made, shall, after Tender of the Sum or Sums of Money so assessed and ordered, as aforesaid, or the same being left in the Hands of the Clerk of the Peace for the said West Riding, as hereafter-mentioned, be final, binding and conclusive, without any Appeal therefrom, to all Intents and Purposes, against all Parties and Persons whatsoever, claiming in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females-Covert, and Persons under what Disabilities soever, Bodies Politick, Corporate, or Collegiate, as well as all other Person or Persons whatsoever, and all and every such Owners, Occupiers, and Proprietors, and all and every Person or Persons any-wise interested in such Lands, Grounds, Houses, Buildings, Tenements, or Hereditaments, shall thereby from thenceforth, to all Intents and Purposes, be absolutely divested of all Right, Title, Claim, Interest, and Property, of, in, to, or out of, the same; and the same shall, from thenceforth, longer remain or be deemed as private Property, but be converted into, and main and be used as, Part of the publick Highway or Road for ever.

And be it Enacted, by the Authority aforesaid, That the said Trustees, any Seven or more of them, acting in the Premises, shall have Power, from time to time, to impose any reasonable Fine or Fines on such Sheriff, Under-Sheriff, or Deputy, Bailiffs or Agents, making Defaults in the Premises, and any of the Persons that shall be summoned and returned on such Jury, or Jurymen who shall not appear, or, appearing, shall refuse to be sworn on the said Jury

and Witnesses.

Jury to view the Place in question;

and assess Damages, to be paid to the Proprietor.

If he refuse to receive it,

to be left with the Clerk of the Peace;

after which,

the Ground to be Part of the Road.

Power to punish Persons summoned not attending, &c.

or Juries; or being so sworn, shall refuse or neglect to give his, her, or their Verdict concerning the same, or in any other manner shall wilfully neglect his, her, or their, Duty therein, contrary to the true Intent and Meaning of this Act, and upon any Person or Persons, who, being required to give Evidence before the said Jury, touching the Premises, shall refuse or neglect to appear, in order to be examined, or shall refuse to give Evidence touching the same: And all such Fines shall be levied in such manner as any Penalty, by this Act inflicted, is directed to be levied; so as no such Fine exceed the Sum of Five Pounds on any One Person.

And be it further Enacted, by the Authority aforesaid, That all and every such Sum and Sums of Money, Consideration, Recompence, and Satisfaction, to be agreed for, ascertained, or assessed, as aforesaid, shall be, and are hereby, charged and chargeable upon all the Tolls collected and received within the respective Districts of the Road, in relation to which such Lands, Grounds, Houses, Buildings, Tenements, and Hereditaments, shall be so purchased, and upon the Monies arising and received upon the Credit of such respective Tolls; and shall be paid thereout accordingly to the Persons respectively intitled thereto; and in case such Person or Persons shall neglect or refuse to accept the same, then the same shall and may be left in the Hands of the Clerk of the Peace for the said West Riding, for the Use of the Persons intitled thereto, and to be by him paid, upon Demand, to such Person or Persons, or according to his or their Appointment; and in case, after Twenty Days Notice thereof given to such Person or Persons, or left, in Writing, at the House or Houses of the Tenant or Tenants in Possession of the Premises, he, she, or they, shall still neglect or refuse to accept the same, it shall and may be lawful for the said Trustees, or any Seven or more of them, their Successors, Workmen, and Agents, to take the said Houses, Buildings, Tenements, and Hereditaments, and cause the same to be pulled down, and to convert, make, and lay, the Soil thereof, and also the said other Lands and Grounds, into the said Roads; and also to ditch and fence off the same, in such manner as the said Trustees, or any Five or more of them, shall think fit: And the said Ground or Grounds, Land or Lands, and the Soil of such Houses, Buildings, and Tenements, as shall be pulled down by virtue hereof, and so to be converted and made into the said Roads, shall, to all Intents and Purposes, from thenceforth, become and be deemed and taken to be a publick Highway.

Provided always, That no Person shall act as a Trustee in any Case relating to the contracting for, purchasing, or ascertaining, the Value of any Lands, Buildings, Tenements, or Hereditaments, where he shall be concerned in Interest.

No Person concerned in Interest to be a Trustee, &c. where interested. Power to lessen the Tolls,

Provided always, and it is hereby Enacted, by the Authority aforesaid, That it shall and may be lawful for the said Trustees, within their several Districts or Divisions, or any Nine or more of them, at a general Meeting to be called for that Purpose, whereof Fourteen Days publick Notice, in Writing, shall be given and fixed upon all the Bars within such District or Division, where the Reduction or Augmentation, herein after-mentioned, is intended to be made, from time to time, to lessen or reduce all or any of the Tolls hereby granted, or to lower such Tolls only as are to be taken for Carriages having the Fellies of the Wheels thereof of the Breadth of Six Inches, or upwards, within such respective Districts, and afterwards to raise or augment the same again, so as not to exceed the Sums hereby granted; and the Tolls so lessened and reduced, or augmented again, shall and may be collected and levied in such manner, and applied for such Purposes only, as the Tolls hereby granted are directed to be collected, levied, and applied; so as no Demise, Lease, Mortgage, or Security, thereof, or any Debt or Sum of Money owing thereon, or upon the Credit thereof, be discharged, vacated, or prejudiced, thereby.

and raise them again.

And be it Enacted, That no Person shall pay Toll more than once for travelling or passing the same Day with any Waggons, Carts, or other Carriages, Horses or other Cattle, through all or any of the Turnpikes across or on the Side of the said Roads

Persons paying Tolls to pass Toll-free the same Day.

Roads in any of the respective Districts herein before-mentioned, and shall produce a Note or Ticket that the Toll was paid at any of the Turnpikes in such respective Districts; which Note or Ticket the respective Receiver or Receivers, Collector or Collectors, is and are hereby required to give *gratis*, upon the Receipt of the Toll: And if any Person, having paid Toll, and having such Note or Ticket as is hereby directed to be given, shall give, offer, or dispose of, the same to any other Person or Persons, or alter the same, in order to avoid the Payment of any of the said Tolls, every such Person giving, offering, disposing, or altering, of such Note or Ticket, and the Person receiving or making use thereof, shall respectively forfeit and pay the Sum of Twenty Shillings.

Power to divide
the Tolls.

Provided always, and be it further Enacted and Declared, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, in every of the said Districts, to separate, divide, and apportion, the Tolls hereby granted and made payable in such Districts, respectively, into so many Shares and Proportions, as to such Trustees, or any Nine or more of them, shall seem meet and expedient; and such Parts of the said respective Tolls shall be taken and received at so many of the Turnpikes in such respective Districts, as by such Trustees, or any Nine or more of them, shall be ordered and appointed for that Purpose, and not otherwise.

Turnpikes and
Toll-houses
vested in the
Trustees.

And be it Enacted, by the Authority aforesaid, That the sole Right and Property of all and every the Turnpikes and Toll-houses, and of all Posts and Stones to be erected, built, set up, or continued, by virtue of this Act, shall be vested in the said Trustees; and they, or any Seven or more of them, are hereby empowered to dispose thereof, as they shall think proper, and to bring Actions, or prefer Indictments, in the Names of any Three or more of them, or of their Clerk or Clerks, Treasurer or Treasurers, against any Person or Persons who shall steal, take away, throw down, spoil, deface, or damage the same.

Power to make a
temporary Road.

And be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors, to be chosen by virtue of this Act by Order of the said Trustees, or any Seven or more of them, to make, or cause to be made, a Road or Way through, over, or along, any Grounds adjoining to any narrow or ruinous Part or Parts of the said Roads hereby intended to be repaired or widened, not being the Ground whereon any Houses or Buildings stand, or a Garden, Orchard, Park, or planted Walk, or Avenue, to any House, or Piece or Parcel of inclosed Ground, planted or set apart for Trees, to be made use of by any Passengers with Horses, Coaches, Carriages, or otherwise, as a public Highway, whilst the other Road is repairing, and until it shall be convenient and safe for Passengers and Carriages to travel along the Road intended to be repaired, and no longer; making such reasonable Satisfaction to the Owners or Occupiers of such Grounds, respectively, for the Damages such Owners and Occupiers severally shall or may sustain thereby, as shall be adjudged by the said Trustees, or any Seven or more of them: And in case any Difference shall happen concerning such Damages, that then it shall and may be lawful to and for the Justices of the Peace at their next General Quarter-Sessions, to be holden for the said West Riding, to hear, settle, adjudge, and finally determine the same.

Penalty on Per-
sons going
through, and per-
mitting, private
Passage, &c.

And be it further Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever owning or occupying any Land, or other Tenements, not to any of the said Turnpikes, shall permit any Person or Persons to pass through any Field, Grounds, Inclosures, or private Way, with any Coach, or other Carriage, or Horse, or other Cattle; or if any Person or Persons shall pass through any such Fields, Grounds, Inclosures, or private Way, with any Cattle or Carriages, as aforesaid, whereby the Payment of any Toll appointed by this Act shall be avoided; or if any Person or Persons shall unload, or cause to be unloaded, Goods or other Merchandize; or shall take off, or cause to be taken off, a Horse, or other Cattle, from any Carriage, with an Intent to avoid paying any of the said Tolls; or shall leave, or cause to be left, upon or near to any

the said Roads, any Cattle or Carriages, as aforesaid; or shall conceal or feign, any Goods or other Things chargeable with Toll, with such Intent as aforesaid; every Person, so offending in any of the said Cases, shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

And be it further Enacted, That if any Person shall hale or draw, or ^{Penalty on drawing Timber otherwise than on Carriages.} cause to be haled or drawn, in, upon, or along, any Part of the said Roads any Tree or Trees, Piece or Pieces of Timber, or any Stone or Stones (Mill-stones excepted) otherwise than upon Wheel-carriages, every of such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Provided, That no Toll or Duty shall be taken at any Toll-gate or Turn-pike, to be erected or continued by virtue of this Act, on the Side of any Part of the said Roads, for any Horse, Cattle, Coach, Berlin, Landau, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, or other Carriage, which shall cross the said Roads only. ^{No Toll for crossing the Road.}

And be it Enacted, by the Authority aforesaid, That the several Trustees of the said several Districts shall meet at the House of *Benjamin Johnson*, ^{Time and Place of First Meeting of the Trustees.} known by the Sign of the *White Hart*, in *Wakefield*, on the Fourth Day of *June* One thousand Seven hundred and Fifty-six, and shall respectively then proceed to the Execution of this and the said former Acts, and afterwards respectively adjourn themselves, so as the Meetings of the Trustees acting for the District between *Wakefield* and *Halifax* shall meet alternately at *Wakefield* and *Halifax*: And the several Trustees for the other Districts shall adjourn themselves to such Place and Places in or near the said Roads lying within their respective Districts, as they the said respective Trustees, or any Five or more of them, shall think proper, as often as it shall be necessary for putting this and the said former Acts in Execution: And if it shall happen, that there shall not appear at any Meeting a sufficient Number of Trustees to act, and to adjourn to another Day, the Clerk to the said Trustees shall, by Notice in Writing, to be fixed on all the Turnpikes in their respective Districts, at least Five Days before, appoint the said Trustees to meet at the House where their last Meeting was so appointed to be held, upon that Day Sevensnight: And that all the said Trustees, at all their Meetings, shall defray their own Charges and Expences; and any Five of them shall be a sufficient Number for the Purpose of adjourning only.

Provided always, and be it Enacted, That Notice of the Times and ^{Notice of Meetings.} Places of all the Meetings of the said Trustees, within their several Districts, shall be given in Writing, signed by the Clerk to such Trustees, and affixed at or upon the several Turnpikes to be erected or continued by virtue of this Act, at least Five Days before any such Meeting shall be held, in case such Meeting shall be adjourned for the Space of Ten Days, or more.

And be it Enacted, by the Authority aforesaid, That the said Trustees, ^{Trustees to appoint Officers;} within their several Districts, or any Seven or more of them, may elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, and Collector or Collectors, of the Tolls arising within the said Districts; and also a Surveyor or Surveyors, to view the Condition of the Roads, and to see that the same be effectually widened and repaired; and, from time to time, in case of Misbehaviour, to remove and appoint new ones, in case of Death or such Removal; and, out of the Money arising by virtue of this Act within such Districts, the said Trustees, or any Seven or more of them, ^{and allow them Salaries.} shall and may make such Allowances to the said respective Officers, for their Care and Pains; and also to such other Persons who shall have been assisting in and about widening and repairing the said Roads, as to the said Trustees shall seem reasonable: And such Surveyor or Surveyors, and also the said Receiver or Receivers, Collector or Collectors, and every of them, shall, at ^{Officers to account upon Oath.} any

any Meeting of the said Trustees (if thereunto required by any Five or more of them) deliver in upon Oath (which Oath any Three or more of the said Trustees, are hereby impowered to administer) a true, exact, and perfect Account, in Writing under their respective Hands, of all Monies which he or they, and every of them, shall have received and disbursed by virtue of this Act, on account of his or their respective Offices: And in case the said Surveyors, Receivers, or Collectors, or any of them, shall not make such Account, or shall not pay the Money remaining in his or their Hands, unto such Person or Persons as the said Trustees, or any Five or more of them, shall, by Writing under their Hands, impower to receive the same, that then, and in either of the said Cases, any Two or more Justices of the Peace, at any Special Sessions, or other Meeting of them, to be held for the said West Riding, or for the Wapontake or Division in which the said respective Surveyor or Surveyors, Receiver or Receivers, Collector or Collectors, shall reside, shall make Inquiry of and concerning such Default in a summary Way, as well by Confession of the Parties themselves, as by the Testimony of One or more credible Witnes or Witnesses, upon Oath (which Oath the said Justices are hereby required and impowered to administer, without Fee or Reward): And if any Person shall be thereof convicted, such Justice shall commit the Party to the County-Gaol, or House of Correction, there to remain without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment, as aforesaid, or shall have compounded for the same, and paid such Composition; which Composition such Trustees, or any Seven or more of them, are hereby impowered to make.

Penalty on Neglect.

Officers to give Security.

Provided always, and be it Enacted, by the Authority aforesaid, That the Treasurer or Treasurers, Receiver or Receiver or Receivers, to be appointed as aforesaid, shall, before he or they enter upon the said Office, give such Security for the due Execution thereof, as to the said Trustees, or any Five or more of them, shall seem meet.

Old Rights to Tolls preserved.

Provided always, and it is hereby Enacted and Declared, That nothing in this Act contained shall confirm or prejudice the Right or Claim of any Person or Persons, Bodies Politick or Corporate, to any such Tolls or Duties as have by long Usage, or any other Right, been paid or taken on any Part of the said Roads.

Surveyors may remove Annoyances.

And be it Enacted, by the Authority aforesaid, That it shall and may be lawful to and for such Surveyor and Surveyors, and such Person or Persons as he or they shall appoint, from time to time, to remove and prevent any Bars, or other Obstructions, and all Annoyances and Inconveniencies by Filth, Dung, Ashes, Rubbish, or otherwise, and to turn any Watercourses, Sinks, or Drains, laid upon, or running into, along, or out of, any Part of the said Roads, or otherwise, to the Prejudice thereof; and to open, scour, or cleanse, any Ditches or Watercourses adjoining to the said Roads, and to make the same as deep and large as he or they shall think necessary; and also to lop or top any Trees (except Timber-trees), and also any Branches or Bushes growing on the said Roads, or in the Banks or Hedges adjoining thereto, the Owners or Occupiers of the Premises where such Obstructions or Annoyances, as aforesaid, shall happen to be, or the Persons causing the same neglecting to remove them, or to open, scour, or cleanse, such Ditches or Watercourses, to lop, or top, such Trees, Branches, or Bushes, for the Space of Ten Days after Notice in Writing given for that Purpose, under the Hand or Hands of the said respective Surveyor or Surveyors, or any of them: And that the Charges of removing such Obstructions or Annoyances, and opening, scouring, and cleansing, such Ditches or Watercourses, and lopping or topping, and removing, such Trees, Branches, or Bushes, as aforesaid, shall, upon Demand, be reimbursed to the

and respective Surveyor or Surveyors by such Owners and Occupiers, or
causing such Obstructions; and such Charges shall be recovered by
Sale of the Goods and Chattels of such Owner and Occupier,
causing such Obstruction, by Warrant under the Hands and Seals
three or more of the said Trustees: And if, after Removal of any such
Obstructions or Annoyances, any Person or Persons shall again offend
like kind, every such Person so offending, and being thereof con-
on his or their Confession, or upon the Oath of One credible Witness,
Three or more of the said Commissioners (which Oath the said Com-
missioners are hereby empowered to administer) shall, for every such Offence,
and above the Charges of removing such Bars, Obstructions, or Annoy-
forfeit and pay the Sum of Twenty Shillings:

be it **Enacted**, by the Authority aforesaid, That it shall and may
ful to and for the said Trustees, or any Five or more of them, to make,
to be made, a Causeway or Causeways, for the Use of Foot-pas-
s, along any Part of the said Roads, in such manner as they shall see
convenient; and to cut and make Drains through any Grounds lying conti-
guous thereto; and to erect, and keep in Repair, Arches of Brick, Timber,
stone, over the same; and to divert and turn the said Roads and High-
ways over any Part of the Moors or Waste Grounds contiguous and adjoining
thereto, or through which the said Roads do now pass; and also to widen
the narrow Parts of the said Roads, by opening, clearing, and laying
out the same, any Grounds of any Person or Persons lying contiguous there-
to (except such Ground whereon a Dwelling-house standeth); and also to cause
ditches or Trenches to be made in such Places and Manner as the said Trustees,
Five or more of them, shall adjudge necessary for the better making and
repairing the said Roads in good Repair; and that such reasonable Satis-
faction shall be made to the Owners or Occupiers of such Grounds, through
which such Drain or Drains shall be cut, or on which any Building, not be-
ing a Dwelling-house, Corn-mill, or Fulling-mill, shall stand, or any Arch
way, Bridge or Bridges, shall be placed, or from which any Part of
the Ground shall be taken, for the Damage which such Owners and Occu-
pied shall thereby sustain, as shall be assessed and adjudged by the Justices of
the Peace, or the major Part of them, at the next General Quarter-Sessions
of the Peace to be holden for the said Riding or Division where such Ground
is, in case any Difference shall arise concerning the same.

be it **further Enacted**, by the Authority aforesaid, That it shall Surveyors may
be lawful to and for the said respective Surveyor or Surveyors, and dig Gravel, &c.
any Person or Persons as he or they, or any Five or more of the said Trust- in Waste
ees, shall respectively appoint, to dig, at the Distance of Ten Yards, or Grounds, &c.
from any Mill, Mill-Wear, or Dam-stakes, and to gather and carry
any Gravel, Furze, Heath, Sand, Stones, or other Materials, out of
any River or Brook, or Waste or Common Grounds, in any Parish, Town-
ship, Village, Hamlet, or Place, in or near which any Part of the said
Road do or shall lie, for the making and repairing thereof; and, for want
of sufficient Quantity of such Materials there, to dig, at the like Distance,
to gather and carry away, the same, out of any River or Brook, Waste
Common Ground, or in any neighbouring Parish, Township, Village,
or Place, without paying any thing for such Materials; such Sur-
veyors, from time to time, levelling, or causing to be levelled, levelling the Pits;
and to fence off, all the Holes and Pits from whence such Materials
shall be taken, and which shall be made by digging and getting the same;
and to carry the same Materials through any Field, Meadow, or pri-
vate way; making such reasonable Satisfaction to the Owners or Occu-
pied of the Damage done, as the said Trustees, or any Seven or more of and to carry the
them, Materials ;
making Satisfac-
tion ;

and to get Ma-
terials in private
Grounds;

paying for the
same.

Roads to be mea-
sured, and Mile-
stones erected.

Surveyors of the
Highways to give
in Lists of Per-
sons chargeable to
do Statute-work;

and to give them
Notice to do
their Statute-
work, as Turn-
pike Surveyor
directs.

Penalty on Ne-
glect.

them, shall judge reasonable; or, in case it shall be adjudged necessary, the said Trustees, or any Seven or more of them, it shall and may be lawful for their Surveyor or Surveyors, and such Persons as he or they shall appoint by Order of the said Trustees, or any Seven or more of them, to dig, gather, or take away, the same, in and from the Grounds of any Person or Persons (not being the Ground whereon any Dwelling-house stands, nor any Orchard, Yard, Park, Paddock, Nursery, planted Walk, or Area, or a House; nor out of a certain Piece or Parcel of Waste Ground or Common, called *Heath Moor*, or *Heath Common*, lying and being in the Parish of *field*, otherwise *Kirkthorpe*, in the said County of *York*), where any Materials may be found; paying such Rates for such Materials, and for the Damage done to the Owners and Occupiers of the Ground where, or whence, the same shall be digged, gathered, or carried away, or of the same shall be carried, as such Trustees, or any Seven or more of them, shall judge reasonable: And if the Owners of the Soil, or Occupiers of the Grounds, where such Materials shall be dug, got, or gathered, or any Person or Persons, shall presume to take or carry away any of such Materials without the Consent of the said Trustees, or any Five or more of them, such Person or Persons shall forfeit and pay the Sum of Forty Shillings for every Cart-load of Stones, or other Materials so taken away.

And be it further Enacted, by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall and may, and they are authorized and required to cause the said Roads to be measured, and to have Stones, or Posts to be erected thereon, or in or near the Sides thereof, at the Distance of One Mile each from the other, in order to mark and measure the Distance of any Town or Place to any other Town or Place on the said Roads, as to such Trustees shall seem meet.

And be it further Enacted, by the Authority aforesaid, That the said Surveyor or Surveyors of the Highways, for the Time being, shall give in Lists of the Parish, Townships, and Places, in which the said Roads, in or near the said Townships, or Places, shall be repaired by this present and the said former Acts, do lie, shall yearly, every Year, during the Continuance of this Act, within Ten Days after the said Surveyor or Surveyors shall be so commanded to him or them, in Writing, by the Surveyor or Surveyors appointed by virtue hereof for the several Districts aforesaid, deliver to them an exact List or Account, in Writing, under his or their Hands, containing the Names of all and every Person and Persons in the said respective Townships, or Places, who are by Law chargeable toward repairing the said Roads in any of the said Townships or Places; and shall set forth in such List what each Person is respectively chargeable with for the same; and the said Surveyor or Surveyors of the said Parish, Townships, or Places, respectively, shall, within Ten Days after Notice given to them by such respective Surveyor or Surveyors to be chosen by virtue of the Time when, and how many of the Persons, so chargeable by the said Act, he or they would have to do such their respective Statute or Duty in or upon any Part or Parts of the said Roads respectively, the said Surveyor or Surveyors of the said Parish, Townships, or Places, respectively, shall, or give publick Notice thereof to, the said Person or Persons so chargeable, as aforesaid: And if any of the Surveyor or Surveyors of the said Parish, Townships or Places aforesaid shall neglect or refuse to do and perform his or their respective Statute or Duty herein, he or they, for every such Neglect or Refusal, shall pay the Sum of Five Pounds: And if any Person or Persons keep any Cattle, or Teams, Draught or Draughts, Cart or Carts, and chargeable with repairing the said Roads, shall, after such Summons or publick Notice given to him or them, neglect or refuse to do and perform his or their respective Statute or Duty in or upon any Part or Parts of the said Roads respectively, as the Turnpike-Surveyor or Surveyors

he, she, or they, so neglecting or refusing, shall respectively forfeit and pay the Sum of Ten Shillings for each of the Days such Person or Persons shall make Default: And if any Labourer, or other Person or Persons, so chargeable towards repairing the said Roads, shall at any Time neglect or refuse, after such Summons or publick Notice, to do and perform his or their respective Statute-work or Duty on the said respective Roads, as the Turnpike-Surveyor or Surveyors shall direct, he, she, or they, shall respectively forfeit and pay the Sum of One Shilling and Six Pence for each of the Days such Labourer, or other Person or Persons, shall make such Default: And if any Person or Persons who shall, according to such Summons or publick Notice, as aforesaid, come to work as a Labourer or Labourers, or be sent with any Team, Draught, or Cart, to Work on the said respective Roads, shall be found idle or negligent by the said Turnpike-Surveyor or Surveyors respectively, where the Work is to be done, in such Case, such Turnpike-Surveyor or Surveyors may, and is hereby impowered and required to remove and discharge him or them, who shall be found idle or negligent, as aforesaid; and it shall be esteemed and taken as if such Person or Persons had not come to Work; and such Labourer or Labourers, and the Owner and Owners of such Team, Draught, or Cart, respectively, shall be subject and liable to the respective Forfeitures and Payments afore-mentioned, in such Manner as if he, she, or they, had neglected or refused to do or perform his, her, or their, respective Statute-work so ordered and appointed, as aforesaid.

Provided always, That all and every Person and Persons now liable, and who, during the Continuance of this Act, shall be liable to do Statute-work on the said respective Roads hereby intended to be repaired, on his or their doing Two Days Work in each Year in manner herein before directed and prescribed, in case Two Justices of the Peace for the said Riding shall not require more to be done by Order, in Writing, under their Hands, shall be, and is and are hereby, exempted from doing or performing any more or other Statute-work than Two Days Work in each Year on the said Roads; any thing herein contained to the contrary notwithstanding.

How much Statute-work is to be done.

Provided always, and be it further Enacted, by the Authority aforesaid, That nothing in this Act contained shall be construed to discharge the Inhabitants of the West Riding of the County of York, or of any Division, Hundred, Wapontake, Liberty, Town Corporate, Parish, Township, Village, Hamlet, or Place, in the said Riding, or any Body Politick, Corporation Aggregate or Sole, private Person or Persons, from the Performance of Statute-work upon, or otherwise repairing, amending, or maintaining, of any Road, Bridge, Causeway, Arch, Drain, or Sewer, which they, or any of them, respectively, have been accustomed, or of Right ought, to repair, amend, or maintain, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or by any ancient Usage, Custom, Law, or otherwise; but that all and every such Road, Bridge, Causeway, Arch, Drain, or Sewer, from time to time, and at all Times hereafter, shall be maintained, amended, and kept in Repair, by the Inhabitants of such Riding, Division, Hundred, Wapontake, Liberty, Town Corporate, Parish, Township, Village, Hamlet, or Place, and by such Body Politick, Corporation Aggregate or Sole, or private Person or Persons, as heretofore the same respectively have been, or ought of Right, or by any ancient Usage, Custom, Law, or otherwise, to have been amended, maintained, and kept in Repair; any thing herein contained to the contrary notwithstanding.

Repairing of Roads by Tenure, &c. to be continued.

And be it further Enacted, by the Authority aforesaid, That the Rents, Profits, Interest, Produce, and Benefit, of all Houses, Lands, Tenements, and Hereditaments, Money, or other real or personal Estate, which are or shall

And by Lands and Money given for that Purpose.

be given, left, or appropriated, for or towards the Building, Making, Up-
holding, or Amending, of any Highways, Bridges, Pavements, Causeways,
Sewers, or Drains, within the several Districts of the Roads hereby intended
to be repaired, and all Arrears thereof, shall, from time to time, and at
times hereafter, be accounted for, and paid, to the Trustees of the said respec-
tive Districts, or any Three or more of them, to be laid out, in the First place,
repairing such Highways, Bridges, Pavements, Causeways, Sewers, or Drains,
and such Part thereof to which the same are or shall be particularly appro-
priated, and afterwards in repairing such Part of the rest of the Roads hereby
intended to be repaired as lie within the District where such Highways, Bridges,
Pavements, Causeways, Sewers, or Drains respectively, to which the same
were appropriated, shall be, and for such other Purposes, and in such Manner
as the Tolls arising within such District are by this Act to be applied and dis-
posed of; and that the Rents, Profits, and Income, of all such real or per-
sonal Estates as are or shall be given or left for repairing any of the Streets
of the said Towns of *Wakefield*, *Halifax*, or *Pontefract*, shall be paid and ac-
counted for, and laid out, in the Reparation of the said Streets respectively
by such of the said Trustees as do or shall reside in the said Towns respectively,
or any Three or more of them, or to such Person or Persons as they, or any
Three or more of them, shall, from time to time, nominate and appoint.

If any Difference
about Repairing,
Trustees to de-
termine.

And, for preventing Differences between the said Trustees and the In-
habitants of such Riding, Division, Hundred, Wapontake, Liberty, Town
Corporate, Parish, Township, Village, Hamlet, or Place, or such Body
Politick, Corporation Aggregate or Sole, or private Person or Persons, touch-
ing the Time when, and Manner in which, such particular Part or Parts
of the said Roads, or such Bridges, Drains, or Sewers, ought to be repaired and
amended, **Be it further Enacted**, by the Authority aforesaid, That in case
any such Difference shall arise, as aforesaid, it shall and may be lawful to
and for any Seven or more of the said Trustees, within their several Districts, at
any of their publick Meetings, upon Application to them for that Purpose made,
to ascertain, appoint, adjudge, and determine, when, and in what Manner
such particular Part or Parts of the said Roads, Bridges, Causeways, Drains,
and Sewers, as aforesaid, shall be repaired and amended by the respective
Persons chargeable or liable to perform Statute-work upon, or otherwise to re-
pair, amend, or maintain, the same, respectively, as aforesaid.

Trustees may
agree with Pa-
rishes, &c. for
statute-work.

And be it further Enacted, by the Authority aforesaid, That it shall
and may be lawful to and for the said Trustees, or any Seven or more of them,
within their respective Districts, at any time during the Continuance of this
Act, at any of their publick Meetings, to compound and agree with any
Division, Hundred, Wapontake, Liberty, Town Corporate, Parish, Town-
ship, Village, Hamlet, Place, Body Politick, Corporation Sole or Aggre-
gate, or private Person or Persons, liable to perform Statute-work, or char-
geable with the Repair or Maintenance of any Part of the said Roads, or of a
Bridge, Causeway, Drain, or Sewer, lying within any of the said Roads,
to be amended by virtue of this Act, by reason of their Tenure of any Lands,
Tenements, or Hereditaments, or any ancient Usage, Custom, Law, or other-
wise, or with the Surveyor or Surveyors of the Highways of any of the
Ridings, Townships, or Places, to which the said Roads belong, or with
any of the Possessors or Occupiers of such Lands, Tenements, or Hereditaments,
as are or shall be liable to, or chargeable with, the Repair of any Part of
the said Roads, or to perform Statute-work thereon, by virtue of any Statute,
or otherwise, for a Sum of Money certain, to be paid Quarterly, or other-
wise, in lieu of such Works or Repairs to which they shall be liable or char-
geable by reason of such their Tenure, or by virtue of any Custom, and
Usage.

Usage, Law, or otherwise howsoever; and that all Compositions and Agreements, to be made by virtue of this Act, shall be entered at Length in a Book or Books to be kept by the said Trustees, or their Clerk or Clerks, Treasurer or Treasurers, for entering their Orders, and other Proceedings.

And, for the better Recovery of such Sum or Sums of Money as shall be agreed to be paid by any Person or Persons in lieu of the said Statute or other Work, **Be it Enacted**, by the Authority aforesaid, That in case any Composition, so agreed to be paid, shall not be paid to the said Trustees, or any Three or more of them, or to such Person or Persons as they, or any Three, or more of them, shall appoint to receive the same, within Five Days after the same shall be demanded, it shall and may be lawful to and for the said Trustees, or any Three or more of them, upon Oath made before any Three or more of them of such Default of Payment (which Oath any Two or more of them are hereby impowered to administer), to issue a Warrant, under their Hands and Seals, empowering such Person or Persons as the said Trustees, or any Three or more of them, shall have appointed to receive such Composition-money, to levy the same by Distress of the Goods and Chattels of such Person and Persons as hath or have, or shall make such Composition, for and in respect of the said Statute-work; or of the Surveyor or Surveyors, Supervisor or Supervisors, of the Highways, for the Time being, or, in Default of a Surveyor or Supervisor, of the Overseer of the Poor of such Parish, Township, or Hamlet, for and in respect of which such Composition was made, or of the Person or Persons so having compounded for such Repairs to be done by reason of Tenure, Usage, or Custom; and the Goods and Chattels so distrained, after the Space of Five Days (such Composition, and the reasonable Charges of distraining and keeping the said Goods and Chattels, not being paid), to sell, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after such Composition-money, and the reasonable Charge, to be settled by the said Trustees, or any Five or more of them, of distraining, keeping, and selling, shall be deducted; which Money, so paid or levied shall go and be applied towards amending the Roads in the respective Districts, and such other Uses and Purposes as the Tolls arising within the same are to be applied by virtue of this Act.

Power to recover Composition-money.

Provided always, and it is hereby further Enacted, by the Authority aforesaid, That if any Surveyor or Supervisor of the Highways, or Overseer of the Poor of any such Parish, Township, Hamlet, or Place, for and in respect whereof such Composition shall be made, as aforesaid, shall pay the Composition-money, or if such Composition-money shall be levied on him in manner herein before directed, then, and in either of the said Cases, such Surveyor, Supervisor, or Overseer, respectively, shall be reimbursed the Composition-money so paid by, or recovered of, him, as aforesaid, in such manner as by the Laws now in being, Surveyors of the Highways of this Kingdom are to be reimbursed the Monies by them expended in buying Materials for mending the Highways.

Township Surveyors how to be reimbursed.

And be it further Enacted, by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed, touching which no other Provision is herein made and directed, shall be recovered and levied by Distress and Seizure of the Goods and Chattels of the Offenders, by Warrant or Warrants under the Hands and Seals of any Three or more of the said Trustees, within their respective Districts, and which Warrant or Warrants they are hereby impowered and required to issue, upon the Information of One or more credible Persons or Witnesses, upon Oath (which Oath the said Trustees, or any Three or more of them, is and are hereby impowered and required to administer); and the Penalties and Forfeitures, when recovered, shall go and be

Penalties and Forfeitures how to be recovered.

be applied (if not otherwise directed to be applied by this Act) in repairing the respective Road or Roads for or in relation to which, or upon account whereof, the respective Offence shall be committed ; and the Overplus (if any) shall be, upon Demand, returned to the Party or Parties whose Goods and Chattels shall have been so distrained and sold, the reasonable Charges of such Distress and Sale to be settled and allowed by the said Trustees, or any Three or more of them, being first deducted.

Persons aggrieved
may appeal to the
Quarter-Sessions.

Provided always, and it is hereby further Enacted, by the Authority aforesaid, That in case any Person or Persons shall think him or themselves aggrieved by any thing to be done in pursuance of this Act (except where any Matter to be done by virtue of this Act is directed to be final), shall and may be lawful to and for such Person and Persons to appeal to the Justices of the Peace of the said West Riding, at their General Quarter-Sessions which shall be held next after such Grievance (unless such Grievance shall happen within Twenty-eight Days preceding such next General Quarter-Sessions, in which Case, such Appeal shall be brought at the Second General Quarter-Sessions next after the same shall have happened) who are hereby authorized and required to hear and determine the same ; and, if they shall think proper, by Order of such Sessions, to mitigate, at their Discretion, all or any of the Penalties aforesaid, or vacate or set aside the said Conviction or Convictions (but not for want of Form only) and set the Parties at Liberty ; or otherwise may ratify and confirm the same, and award such Costs, as they shall think proper ; and the Determination of such Quarter-Sessions shall be binding and conclusive to all Intents and Purposes whatsoever ; and such Conviction, Order of Sessions, or other Proceedings, to which the same shall relate, shall not be removeable by *Certiorari*, or otherwise, into any of His Majesty's Courts of Record at *Westminster* ; but such Person, so appealing shall give Notice, in Writing, of such his or her Intention to the Clerk of the said Trustees, Twenty Days at least before the said Quarter-Session and shall, within Ten Days after such Notice given, and before any Appeal shall be allowed, enter into a Recognizance before some Justice of the Peace for the said Riding, in Twenty Pounds, with Two sufficient Sureties in Twenty Pounds each, conditioned to try such Appeal at the next General Quarter-Sessions to be held for the said Riding next after such Notice, and to pay such Costs and Charges as the said Justices shall award, in case such Appeal shall be disallowed.

On Death or Removal of Trustees, others to be chosen.

And be it further Enacted, by the Authority aforesaid, That when as often as any of the said Trustees appointed for the several Districts or Divisions aforesaid, shall die, refuse to act, or be disqualified, it shall and may be lawful for the surviving Trustees, or any Seven or more of them acting, or appointed, for that District for which the Person so dying or refusing, or not qualified to act, as aforesaid, by Writing under their Hand from time to time, to elect and appoint One or more fit and able Persons, living within the said County of *York*, instead of such Trustee or Trustees so deceased, or refusing to act, or becoming disqualified : And all and every such Person and Persons, so elected, shall be joined with such surviving Trustees for such District, respectively ; and is and are hereby empowered to do to all Intents and Purposes, in as full, large, and ample Manner, as if such Person or Persons had been particularly named in and appointed a Trustee or Trustees by virtue of the former Acts, or this present Act ; but Notice in Writing of the Time and Place of such Election, signed by the Clerk, shall be fixed on all the Turnpikes in such District, where such Trustees so dying or refusing to act, or becoming disqualified, did reside, Ten Days before such Election.

Provided always, and it is hereby Enacted, by the Authority aforesaid, Qualification of the Trustees. That no Person shall be capable of acting as a Trustee in any Case in the Execution of this Act, unless, at the Time of acting therein, he shall have, or be entitled of, in his own Right, or in the Right of his Wife, and in the actual Possession and Enjoyment, or Receipt, of the Rents, Issues, and Profits, of a real Estate, in Law or Equity, of the clear yearly Value of One hundred Pounds, above Reprizes; or shall be Heir apparent of a Person possessed of an Estate in Land of the yearly Value of Three hundred Pounds, above Reprizes: And if any Person or Persons, hereby disqualified, or declared to be incapable to act in the Trust aforesaid, shall in any-wise act as a Trustee in the Execution of this present Act, every such Person, for every such Offence, shall forfeit and pay the Sum of Fifty Pounds, to be recovered by any Person who shall sue for the same in any of his Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparliament, shall be allowed; one Moiety of which Forfeiture shall be paid to the Prosecutor, and the other Moiety applied in such Manner as the Tolls granted and made payable by this Act in such respective Districts are directed to be applied and disposed of.

Provided always, and be it Enacted, That no Trustee shall have or enjoy any Place of Profit arising out of, or by reason of, the Tolls hereby granted; and every Person having or enjoying such Place of Profit, shall be incapable of acting as a Trustee during his Enjoyment thereof. Trustees not to have a Place of Profit.

And be it further Enacted, by the Authority aforesaid, That such of the Trustees herein before-named and appointed, as are, or shall be, in the Commission of the Peace for the County of York, or any Riding therein, shall and may, nevertheless, act as Justices of the Peace within his and their respective Jurisdictions, for putting in Execution the several Powers and Authorities hereby granted. The Trustees in the Commission of the Peace may act as Justices.

Provided always, and it is hereby Enacted and Declared, That Notice of discharging Orders. no Order made by the said Trustees, within their said several Districts or Divisions, or any Five or more of them, in, for, or concerning, the executing the Trusts, Powers, and Authorities of this present Act, or the said former Acts, or any of them, shall be revoked, repealed, or set aside, by any subsequent Order of such Trustees, unless Notice for that Purpose, by the Direction of such Trustees, or any Five or more of them, signed by their Clerk, be affixed upon all the Turnpike-gates then erected or continued, by virtue of this Act, in the said District wherein such Turnpike-bar shall be, at least Ten Days before the repealing such Order.

And be it further Enacted, by the Authority aforesaid, That all Orders and Proceedings of the said Trustees, within their several Districts or Divisions, shall be entered in a Book or Books to be kept for that Purpose, signed by the Commissioners present at such respective Meetings, or such a Number of them as the Case and Business transacted at such Meetings respectively shall require; which said Book or Books shall and may be produced, and read in Evidence, in all Cases of Appeals, or in any Suit or Action, touching any thing done in pursuance of this Act. Proceedings to be entered in a Book.

Provided always, and be it further Enacted, by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Oath, or Affidavit, or any of the said Notes or Acknowledgements herein before-mentioned, or any other Instrument or Writing under the Hands of the said Trustees, or any of them, concerning or relating to the Execution of the Trusts and Powers of this Act, shall be charged or chargeable with any Stamp-duty whatsoever. Writings to be without Stamps.

Commencement
and Continuance
of this Act.

And be it further Enacted, by the Authority aforesaid, That this Act and the Tolls, Duties, and Powers, hereby granted and given, shall take place from and after the First Day of *June* One thousand Seven hundred and Fifty six; and that all the said Tolls and Duties hereby granted shall remain, continue, and be paid, from the said First Day of *June*, for and during the Residue and Remainder of the several Terms granted by the said several Acts of Parliament herein before-mentioned, and which are yet to come, and, from and immediately after the Expiration and Determination thereof, then for and during the farther several Terms of Five Years and Five Years from thence, respectively, next ensuing, pursuant to, and according to, the Tenor of, an Act, made and passed in the last Session of the present Parliament, intituled, *An Act to amend an Act, made in the Twentieth Year of the Reign of his present Majesty, intituled, An Act for the Amendment and Preservation of the publick Highways and Turnpike-Roads of the Kingdom, and for the more effectual Execution of the Laws relating thereto* and, from and after the End and Expiration of the said several additional Terms of Five Years and Five Years respectively, then for and during the farther several Terms of Twenty-one Years, and Twenty-one Years, from thence respectively ensuing, and from thence to the End of the then next Session of Parliament.

When all the
Roads are
amended,

and Money paid,

the Tolls to cease.

Where Officers
are sued for dis-
training, if in the
right, to have
their Costs.

Provided nevertheless, That if, at any time before the Expiration of the said several Terms hereby granted, the Roads directed to be repaired within the several Districts and Divisions aforesaid, or any of them, shall be sufficiently amended and repaired, and so adjudged by the Justices of the Peace of the said West Riding, at their General Quarter-Sessions to be holden for the said Riding, next after *Easter*; that then, and from and after such Adjudication made, and Repayment of all such Monies as are and shall have been borrowed on the Credit of the said Tolls and Duties arising within such District respectively, by virtue of or under the Authority of the said former Acts of this present Act, with Interest for the same, and all other Costs and Charges obtaining, and putting this Act in Execution, the said Tolls and Duties, and all other Powers hereby granted and given, shall cease and determine; and nothing herein contained to the contrary notwithstanding.

And be it Enacted, by the Authority aforesaid, That where any Distress shall be made by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same deemed a Trespasser or Trespassers, upon account of any Defect, or want of Form, in the Warrant for such Distress, or in the Appointment of the Collector or Collectors, Surveyor or Surveyors, or other Officers; nor shall the Party or Parties so distraining be deemed a Trespasser or Trespassers, *ab initio*, upon account of any Irregularity which shall or may happen to be afterwards done by him or them in making such Distress; but the Party or Parties, aggrieved by such Irregularity, shall and may recover full Satisfaction for the special Damages which he, she, or they, shall have sustained thereby, and no more, in any Action of Trespass, or upon the Case, at the Election of the Party or Parties so aggrieved.

Provided always, That where the Plaintiff or Plaintiffs shall recover in such Action, he, she, or they, shall be paid his, her, or their, full Costs of Suit, and have all the like Remedies for the same as in other Cases of Costs; but no Plaintiff shall recover in any Action, for any Irregularity as aforesaid, unless Twenty Eight Days Notice shall have been given thereof to the Clerk to the said Trustees for that District within which the Cause of such Action shall be supposed to have arisen before the bringing any Action; nor if Tender of good and sufficient Amends shall have been made, by or on the behalf of the Party or Parties Three Days before such Action was brought, or after the said Action shall have been

been brought, and before the Tryal thereof, together with the Costs of Suit to the Time of such last-mentioned Tender.

And be it further Enacted, by the Authority aforesaid, That all the Powers, Penalties, Forfeitures, Remedies, Provisions, Rules, Orders, Directions, Clauses, Matters, and Things, given, granted, ordered, appointed, prescribed, inserted, and contained, in and by the said Two first-mentioned Acts, or either of them, respectively, which are now in Force (other than so far forth as the same, or any of them, respectively, are varied, altered, explained, rendered unnecessary, or otherwise provided for, by the Force and Effect of this present Act) shall be exercised, practised, used, enforced, and put in Execution, for the Purposes of this Act, in as full, extensive, and beneficial Manner, as if the said Powers, Penalties, Forfeitures, Remedies, Provisions, Rules, Orders, Directions, Clauses, Matters, and Things, were particularly expressed, and again enacted, in the Body of this present Act. Powers of the former Acts continued.

And it is hereby further Enacted and Declared, That if any Action or Suit shall be commenced and prosecuted against any Person or Persons for any thing done in pursuance of this Act, that, in every such Case, the Action or Suit shall be commenced within Six Months next after the Fact committed, and not afterwards; and shall be laid in the said County of York, and not elsewhere: And the Defendant and Defendants shall and may plead the General Issue; and give this Act, and the Special Matter, in Evidence, at any Tryal to be had thereupon; and that the same was done in pursuance of, and by virtue of, this Act; and if it shall appear so to have been done, or that such Action or Suit was brought after the Time limited, or in any other County or Place, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be Nonsuited, or discontinue his, her, or their, Action or Suit, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs; then the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any Case by Law. Limitation of Actions.

And be it further Enacted, by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken, to be a Publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever. General Issue.

Treble Costs.

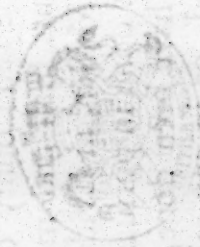
Publick Act.



A S t



Read 8 March 1756



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*Powers granted by Two several Acts,
passed in the Fourteenth Year of his
present Majesty, the one for repairing
the Roads from a Place called The Red
House, near Doncaster, to Wakefield,
and through the said Town of Wake-
field, by Dewsbury, Hightown and
Lightcliff, to the Town of Halifax, in
the West Riding of the County of York,
and the other for repairing the Road
from Wakefield to Pontefract, and
from thence to a Place called Weeland,
in the Township of Hensall, and from
Pontefract to Wentbridge, in the Town-
ship of Darrington, in the West Riding
of the County of York.*

[1756.]

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